

Report Date: March 1, 2007

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAR 07 2007

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)**

Name of Offender: Thomas R. Jennen

Case Number: 2:98CR00156-001

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, U.S. District Judge

Date of Original Sentence: 10/28/2003

Type of Supervision: Supervised Release

Original Offense: Open and Maintain a Place for
Drug Manufacturing, Storing, Distribution, and Use,
21 U.S.C. § 856(a)(1)

Date Supervision Commenced: 08/17/2004

Original Sentence: Prison - 12 Months; TSR - 36
Months

Date Supervision Expires: 05/16/2007

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 17 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 18 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

CAUSE

On February 28, 2007, Mr. Jennen submitted a urine specimen at the U.S. Probation Office which revealed initial positive findings for marijuana. When questioned, Mr. Jennen admitted to consuming marijuana on or about February 23, 2007. Subsequently, he has been referred to outpatient treatment services and his frequency of random drug testing has been increased to weekly. It is therefore respectfully requested that the above listed violation be held in abeyance pending the defendant's compliance with treatment services.

As indicated by the enclosed Waiver of Hearing to Modify Conditions of Supervised Release form, Mr. Jennen has agreed to the proposed modifications.

Therefore, pursuant to ninth circuit case law, U.S. v. Stephens, the above modification is requested.

Prob 12B

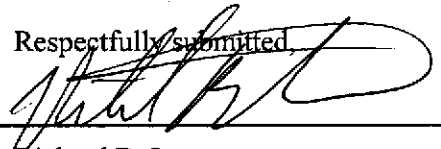
Re: Jennen, Thomas R

March 1, 2007

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Respectfully submitted

by



Richard B. Law

U.S. Probation Officer

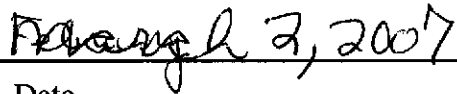
Date: March 1, 2007

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
JFVS ☒ The Modification of Conditions as Noted Above
☐ Other



Signature of Judicial Officer



Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

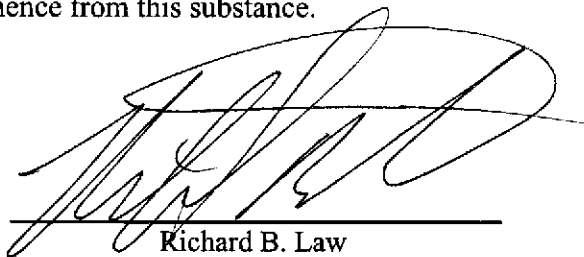
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

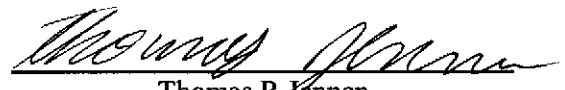
- 17 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 18 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Witness:



Richard B. Law
U.S. Probation Officer

Signed:



Thomas R. Jennen
Probationer or Supervised Releasee

February 28, 2007

Date